

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA

Plaintiff

vs

**111) BENJAMIN MONTAÑEZ-ORTIZ,**  
a/k/a "Benji" (Counts ONE through FIVE)

Defendant

CRIMINAL 13-0534-111CCC

**ORDER**

Having considered the Report and Recommendation filed on December 16, 2014 (**docket entry 2533**) on a Rule 11 proceeding of defendant [111] Benjamín Montañez-Ortiz before U.S. Magistrate-Judge Silvia Carreño-Coll on December 15, 2014, to which no objection has been filed, the same is APPROVED. Accordingly, the plea of guilty of defendant is accepted. The Court FINDS that his plea was voluntary and intelligently entered with awareness of his rights and the consequences of pleading guilty and contains all elements of the offense charged in the indictment.

This case was referred to the U.S. Probation Office for preparation of a Presentence Investigation Report since December 15, 2014. The **sentencing hearing is set for March 18, 2015 at 4:15 PM.**

The U.S. Probation Officer is reminded that, should any objections be raised by defendant to the PreSentence Report, the Addendum to said PreSentence Report must specifically identify any unresolved objections, the grounds for the objections, and the U.S. Probation Officer's comments on them, as required by Fed. R. Crim. P. 32(g). The party that raised the unresolved objections shall, **within twenty-four (24) hours** after the Addendum is disclosed, state in writing whether it will insist that the unresolved

CRIMINAL 13-0534-111CCC

2

objections be ruled upon by the Court. Failure to do so will be deemed by the Court as a withdrawal of the unresolved objections.

SO ORDERED.

At San Juan, Puerto Rico, on January 23, 2015.

S/CARMEN CONSUELO CEREZO  
United States District Judge